UNITED
NATIONS

E

Economic and Social Council

Distr.
GENERAL

E/CN.4/Sub.2/1992/SR.25/Add.1
13 October 1992

Original: ENGLISH

COMMISSION ON HUMAN RIGHTS

SUB-COMMISSION ON PREVENTION OF DISCRIMINATION AND PROTECTION OF MINORITIES

Forty-fourth session

SUMMARY RECORD OF THE 25TH MEETING (SECOND PART*)

Held at the Palais des Nations, Geneva,
on Thursday, 20 August 1992, at 3 p.m.

Chairman: Mr. ALFONSO MARTINEZ
later: Mrs. KSENTINI

CONTENTS

The new international economic order and the promotion of human rights (continued)

(a) The role and equal participation of women in development

* The summary record of the first part of the meeting appears as document E/CN.4/Sub.2/1992/SR.25.

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent within one week of the date of this document to the Official Records Editing Section, room E.4108, Palais des Nations, Geneva.

Any corrections to the records of the public meetings of the Sub-Commission at this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.

GE.92-13987 (E)

CONTENTS (continued)

The realization of economic, social and cultural rights (continued)

Organization of work (continued)

THE NEW INTERNATIONAL ECONOMIC ORDER AND THE PROMOTION OF HUMAN RIGHTS (agenda item 7) (continued) (E/CN.4/Sub.2/1992/41)

(a) THE ROLE AND PARTICIPATION OF WOMEN IN DEVELOPMENT

THE REALIZATION OF ECONOMIC, SOCIAL AND CULTURAL RIGHTS (agenda item 8) (continued) (E/CN.4/Sub.2/1992/15, 16, 41, 44 and 50; E/CN.4/Sub.2/1991/17; E/CN.4/Sub.2/1992/WP.1; E/CN.4/Sub.2/1992/NGO/2, 3, 5, 7, 15 and 33)

1. Ms. MEINDERSMA (International Federation for the Protection of the Rights of Ethnic, Religious, Linguistic and other Minorities), speaking on agenda item 8, said that throughout history population transfers had been used to consolidate territory and neutralize opposition, and had subsequently sown the seeds of some of the most intractable conflicts currently facing the United Nations.

2. Though certain forms of population transfer were already regulated or prohibited under international law, transfers continued to take place under a variety of pretexts. Involuntary displacements of populations followed by colonization and occupation by settlers were commonly used as a means of irreversibly altering the demographic composition of annexed territories. Israeli settlement policy in the occupied territories, the Chinese policy in Tibet and the transfer of Turks to Cyprus were just a few examples. Indigenous peoples and minorities were still facing the threat of removal, deportation and the influx of settlers. More insidious and with fewer protective norms applicable, population transfers might pose serious threats to the survival of many such communities. The Greek minority in Albania and the Albanian population of Kosovo were cases in point.

3. Elsewhere, internationally recognized human rights were used as a pretext for carrying out transfer policies, as in the case of Bougainville, where freedom of movement had been invoked to justify an influx of Papua New Guinea citizens in the 1980s. Freedom of movement for settlers could result in heavy restrictions on the freedom of movement of the original inhabitants of a territory.

4. One of the crucial issues to address when populations were transferred was the consent of all the groups involved. For instance, even in a situation where settlers were given incentives to move voluntarily, the consent of the indigenous inhabitants was crucial to prevent conflicts. With the breaking up of the Soviet Union and the situation in Yugoslavia, populations were being transferred without their consent, solely on the basis of their religion or race. Meanwhile, some of the newly independent States found that they had a population more than half of whom were aliens who had been forced or encouraged to settle there. Any solution to problems stemming from population transfers must take into account and strike a balance between the human rights of all involved, both settlers, their descendants, and the original population. It must also be considered whether retransfers of settlers provided a lasting solution, or merely victimized innocent people who might have no ties to the country in which they were resettled. On the other hand, automatically allowing all settlers the right to remain might legalize an originally illegal transfer of population and provide an incentive for other Governments to create similar situations. In the cases of Latvia and Estonia, for example, it was too simple

just to address the rights of the Russian population, without taking into account how that so-called "minority" had come to be in those countries in the first place.

5. The Sub-Commission should concern itself with the issue of population transfer, a practice that inherently involved gross violations of basic human rights, and which posed a threat to international peace and security by heightening ethnic tension and conflict. The danger of allowing the chain of transfers and retransfers to remain unbroken was that the concept of "ethnically" or "racially" clean States or territories might come to be seen as the ultimate solution. Population transfers effected without the full and free consent of all the parties involved might serve a short-term goal, but would create immense long-term suffering and hatred.

6. Her organization welcomed the decision taken by the Sub-Commission at its previous sessions to include the question of the human rights dimensions of population transfers in its future work programme. It should undertake a study analysing existing principles of international law concerning that practice, with a view to strengthening their application. Such a study could also contribute greatly to preventing human rights violations and finding solutions to existing problems stemming from population transfers. It should set out to review the issue in its broadest sense, rather than focusing on specific aspects such as occupied territories, minorities or indigenous peoples. A broad-based approach would also make it possible to find guidelines for determining the lawfulness or unlawfulness of the practice.

7. An initiative by the Sub-Commission to address the human rights dimensions of population transfer could link in with other efforts currently under way in the different United Nations bodies to look into the wider question of displacement of peoples, including refugee situations, internally displaced persons and forced evictions. It could also reinforce initiatives of the International Law Commission and its work on the Draft Code of Crimes against the Peace and Security of Mankind and on State Responsibility and contribute to the work of treaty bodies like the Committee on the Elimination of Racial Discrimination.

8. Ms. PRINDEZIS (World Association for the School as an Instrument of Peace), speaking on agenda item 8, said that States must assign greater importance to the role of schools in disseminating the universal principles and values set forth in the preamble to the Universal Declaration of Human Rights and its article 26, in article 13 of the International Covenant on Economic, Social and Cultural Rights, in articles 29 and 30 of the Convention on the Rights of the Child, and in article 25 of the African Charter on Human and Peoples' Rights. Children must become acquainted with the main texts of the United Nations and its Educational, Scientific and Cultural Organization. They must know how those texts had been adopted and proclaimed and what rules and limitations governed their implementation. Children must also learn how to implement them in their daily actions, in their choice of vocabulary, and in their thoughts and decisions.

9. Against that background, the training of teachers must also be systematically reviewed, for recent research had shown that example had a determining influence on the shaping of behaviour. To that end, her organization had set up an international centre for training in human rights and

peace teaching, which held annual training sessions at international, regional and national levels. The organization's activities included broad dissemination of international norms regarding the right to education and monitoring of their application; appraisal of national education systems, with requests to national authorities to include the teaching of human rights and peace in their systems; continuous debate on the most appropriate educational approaches to secure those objectives; and support for all initiatives regarding education and teaching of human rights and peace.

10. Her organization urged the Sub-Commission to give higher priority to the question, with a view to making the teaching of human rights official in all schools, in accordance with paragraph 1 of General Assembly resolution 217 (III) D., of 10 December 1948; and to carry out an assessment of the successes and failures of national policies in that field.

11. Mr. KOTHARI (Habitat International Coalition), speaking on agenda item 8, welcomed the working paper on the right to adequate housing E/CN.4/Sub.2/1992/15) submitted by Mr. Sachar. Although the United Nations, and in particular its Committee on Economic, Social and Cultural Rights, had recently done a good deal of valuable work on which a study on the right to adequate housing could draw, the need for more comprehensive coverage of that right by the Sub-Commission could not be overestimated. Effective means and strategies must be employed to develop the policy, legislation and political will needed to guarantee global realization of a right still denied to more than 1 billion persons.

12. All those present could imagine the stark reality of homelessness or of a life in the slums. Yet few had themselves felt the insecurity of homelessness or had had to contend with the fear of having their homes bulldozed and their livelihood disrupted. Some countries represented in that forum had stated publicly that homelessness was an issue of choice, but that view was surely absurd. In point of fact, structural conditions and abject levels of poverty across the world forced people to live in whatever conditions they could find, conditions that often posed a threat to life and to health.

13. The free-market ideology, as espoused by nations like the United States of America, where horrific levels of homelessness persisted, was an unworthy model, and was already leading to declines in living standards in countries where it had been vigorously applied. That effect was also perceptible in many developing countries and in Eastern Europe. The dogmatic substitution of one economic maxim for another was resulting in a severe housing crisis throughout the former Soviet Union. Those social consequences needed to be brought into sharp focus, along with unconditional respect for human rights.

14. Two points must be emphasized. First, States that had recently shifted from command to market economies nevertheless retained their international legal obligations to respect, protect and realize the housing rights of their citizens. Secondly, States must not suppose that all the needs of society, including housing, could be solved by privatization and the invisible hand of the market. Governments must recognize the tragic levels of homelessness and impoverishment that prevailed in the United States, where market approaches reigned supreme, and the fact that equally worrisome housing problems would face Western Europe, were it not for massive State intervention in the housing sector. That was not to say that severe housing problems had yet to affect

European States, but rather to point out that nations which refused on ideological grounds to promote housing rights for the entire population were doomed to a future in which social conflict would dominate their national agendas.

15. The criminalization of housing was a further affront to the urge of hundreds of millions of people to find a decent place in which to live in peace and security. And although arguments for reorienting legislation that made the daily act of survival a criminal offence were extremely convincing by any measure, the tendency of States was not towards tolerance, but towards continued and in some cases increased criminalization of people simply because they were systematically excluded from the legal housing sphere. That process had assisted the stereotyping of the homeless and inadequately housed as criminals, as people to be feared, as society's refuse. Rectification of that state of affairs would be possible only if the importance of housing as an issue that straddled economic, social, civil and political rights was recognized and built upon. Such a focus required leadership within the United Nations, and his organization believed that the Sub-Commission was the body to take up that challenge, on behalf of the millions who were denied their basic right to adequate housing.

16. One specific issue that constituted a massive violation of the right to adequate housing was the World Bank-funded Sardar Sarovar Narmada Valley dam project in India, to which Mr. Sachar and several non-governmental organizations had already referred. Largely on account of the work done by the Save Narmada Campaign, the attention of the international community had been drawn to those extremely well documented project-related violations. Faced with such overwhelming international criticism, the World Bank had set up an independent review team, the Morse Commission, which had come up with an authoritative critique of World Bank procedures and the misguided implementation of its operational directives. In the face of such evidence, the statements made by the Indian observer delegation under agenda item 6 sounded hollow and dated. World Bank reports indicated that India had the world's worst resettlement record, with 22 million persons displaced by development projects since 1947. Nothing in the current course of the project gave reason to suppose that its history would be any different from that of its predecessors.

17. Another argument repeatedly invoked by the Indian Government was the logic of the dominance of economic growth. The right to development was being manipulated so as to justify sacrificing some for the benefit of others. It was not acceptable to barter the rights of one group against those of another. Would the Sub-Commission stand idly by if a Government announced its plans to torture 100 persons, in order to protect the rights of 1,000 others? His Organization urged the Sub-Commission to make known to the World Bank its opposition to the manner in which the project was proceeding. Failure to take account of evidence that the rights of 300,000 people stood to be violated would undermine the credibility of the entire United Nations human rights programme. It was not too late to take preventive action, since the final decision by the World Bank was due to be taken on 1 September 1992. The issue was all the more important in that the United Nations had thus far made no pronouncement on the question. Action must be taken to halt a massive violation of human rights by a fellow United Nations agency.

18. Ms. BRUIN (Women's International League for Peace and Freedom), speaking on agenda items 7 and 7 (a), said that in 1978, when item 7 had first been placed on the Sub-Commission's agenda, there had been a degree of consensus with regard to the need to establish a new international economic order based on equity, sovereign equality, independence, common interest and cooperation among all States, with the aim of correcting inequalities and redressing existing injustices. Unfortunately, that international economic order had never materialized. The Fourth United Nations Development Decade seemed doomed, like its predecessor, to be a lost decade for development, and the prevailing context was one of international economic disorder. It was against that background that her organization wished to explore the role and equal participation of women in development.

19. At its recent international congress in Bolivia, its members had heard reports from every continent of the worsening of the situation of women as a result of economic circumstances beyond their control. Those testimonies led her organization to conclude that there was currently little evidence of a development process or of women's equal participation in such a process.

20. Factors contributing to the deterioration in the quality of life and the marginalization of a growing number of women worldwide included: the widening gap between rich and poor both within and between nations; the continuing debt crisis, structural adjustment programmes, the resulting increase in unemployment and poverty, and reductions in health, education and social services; the net transfer of resources from South to North; declining development assistance; privatization schemes, free market and neo-liberal economic policies, deregulation, and the practices of transnational corporations; declining commodity prices, protectionism and other unfair trade practices; and lack of popular participation in decision making at the national level.

21. The 1985 Nairobi Forward-Looking Strategies for the Advancement of Women had called for structural changes in order to guarantee women's participation in the development process. Those changes had not materialized, and women were thus suffering still more from the unjust international economic order. Women had to work longer hours both outside and inside the home. Women in the developing countries had to spend more of their time producing cash crops, making things or performing household services that they might have bought or paid for in better times, shopping further away to get the best prices, and so forth. Many were working up to 20 hours a day to make ends meet and care for their families. Rather than participating in a development process, they saw the development process in their countries reversed and their own lives becoming harder.

22. In the industrialized countries, where underdevelopment was manifesting itself in many communities, women had been hard-hit by the global economic recession. The gains they had won were being eroded and a growing number had experienced a decline in living standards. Many faced unemployment, poverty and homelessness, all of which constituted violations of human rights. Out of desperation, women were devising stratagems for survival such as organizing communal soup kitchens, or setting up micro-enterprises in the informal sector, which were ill-paid and offered no job security, social security benefits or protected working conditions. Others provided cheap labour to be exploited by foreign companies producing items that were generally not consumed in the country where they were assembled. The children of those women were often

forced to work as well, sacrificing their hopes for a better future in order to help put food on the table each day. Thus, although women were integrated in the world economy, the manner of their integration did not constitute equal participation of women in development.

23. Her organization called on the Sub-Commission to appoint a special rapporteur on women and to undertake a special in-depth study on the impact on the human rights of women of structural adjustment programmes. The special rapporteur could also analyse studies already carried out on the effects of structural adjustment on women, with a view to identifying special measures that could be taken to reverse their harmful effects on women. Further attention should be given to the impact of neo-liberal economic policies, deregulation and privatization schemes on women's rights.

24. The effect of the practices of transnational corporations on women should also be closely monitored. The Centre on Transnational Corporations, which had been downgraded in the United Nations hierarchy earlier that year, was about to complete its project on the employment of women in transnational corporations from 1985 to 1990. Given the massive changes in the international economic environment since 1990 and their negative effects on women's rights, her organization called for continuation of that project and restoration of the Centre on Transnational Corporations to its previous stature. She called on the Sub-Commission to collaborate more closely with other economic procedures and bodies within the United Nations system, as called for in the Global Consultation on the Realization of the Right to Development, as a Human Right, whose final report had been adopted by the Commission on Human Rights in 1991.

25. At the previous meeting, the Special Rapporteur on the realization of economic, social and cultural rights had proposed the convening of an expert seminar on the role played by the World Bank and International Monetary Fund in the realization of those rights. Her organization suggested that experts should also be selected from organizations, which had first-hand experience of the negative effects of the international financial institutions on people at grass-roots level and would be happy to put forward names for consideration.

26. Mr. TEITELBAUM (American Association of Jurists), speaking on agenda items 7 and 8, praised Mr. Türk's report (E/CN.4/Sub.2/1992/16) for its willingness to challenge fashionable myths and dogmas. In that regard, he singled out paragraphs 85 to 105, 40 to 64, and, in particular, 42 to 45, which dealt with the "transnationalization" of management of States' economic policies. The basic guidelines proposed in paragraph 64 of the report were unexceptionable. However, his organization wished to propose two additions. The first referred to the right to self-determination; his organization considered that national sovereignty was a concept that, linked to the principle of popular participation in decision making, led to the broader concept of self-determination. Second, with regard to the effects of adjustment policies on democratic institutions, his organization believed that the adjustment policies advocated by the International Monetary Fund (IMF) were incompatible with the survival of democratic institutions - a view borne out by recent events in Peru.

27. The reference to social safety nets in subparagraph (i) of paragraph 64 of the report, should be read in the context of the comment contained in the last sentence of paragraph 150. The question was whether the fight against poverty was seen as part of an overall strategy to secure general social progress and eliminate poverty, or was to be confined to establishing such social safety nets.

28. What view of poverty was taken by IMF and the World Bank? Clearly, any strategy to overcome poverty must include income redistribution, for the "distressingly inequitable" income distribution referred to in paragraph 78 of the report was currently worsening in almost all countries. Yet, paragraph 76, stated that the World Bank cautioned against income distribution while IMF advocated making wage increases conditional on rising productivity, the very opposite of income redistribution (para. 165 (1)). It must thus be concluded that the theoretical strategy of IMF and the World Bank vis-à-vis poverty consisted of promoting social safety nets in order to maintain a large sector of the population just above the threshold of extreme poverty, implying a policy opposed to human development.

29. But in practice, IMF and World Bank policies did not even include those safety nets: countries that met Fund conditionalities (including, inter alia, reduction of budget deficits) had to cut their health and education spending and dismantle and privatize their social security systems, leaving the most vulnerable sectors of society unprotected.

30. On the question of external debt, there was little to add to the report, other than to point out that the indebted countries had already repaid the principal of the loans several times over, that many of the original loan operations had been fraudulent and had involved crimes and breaches of the law, and that debt was used by IMF to coerce many countries into accepting economic policies that violated economic, social and cultural rights, for the sole benefit of the Fund's true mandator, namely, international big money. Likewise, the World Bank, with its loans for development and advisory role in privatizations, was the spearhead of international big money in its policy of plundering the national patrimony of many third world countries. Thus, in one country, the Government was receiving advice from the World Bank regarding its plans to privatize its gas deposits and supply networks, which would of course be handed over to foreign corporations and their private domestic subsidiaries for 2 per cent of their real value, while tariffs would sky-rocket, enabling the firms to recoup their investments within one year. Meanwhile, the World Bank had cancelled a $35 million loan to Bolivia to exploit gold deposits, because the Government had refused to allow participation by foreign capital. Only weeks later, on 8 March 1992, the United States had suspended a $7 million cooperation project concerning the same deposits for the same reason.

31. Of course, domestic sectors of society and domestic political groups often benefited directly from the illicit origin of the external debt, or were involved with international groups in the acquisition of public enterprises on terms highly detrimental to the national patrimony. Others were enormously wealthy satraps, oppressing their own peoples, and on good terms with the rulers of the world, whom they supplied with oil, minerals and other commodities at bargain prices.

32. The economic, social and cultural rights set forth in the International Covenant and in article 1 of the Universal Declaration of Human Rights were to be realized progressively. Some fundamental rights, however, were immediately and universally applicable, and violations of those rights, whether by States, legal persons or national and international institutions, including IMF and the World Bank must be penalized. Organs and procedures already existed for that purpose. But others needed to be created, such as an optional protocol to the International Covenant on Economic, Social and Cultural Rights. At the previous session, in document E/CN.4/Sub.2/1991/NGO/7, his organization had called upon the General Assembly to declare that all practices and policies of States, institutions and persons impeding the right to development and social progress constituted crimes under international law.

33. The Special Rapporteur proposed strengthening cooperation between the human rights bodies and the Fund and the World Bank (paras. 238 and 243 of the report). Representatives of the Bank and the Fund already attended and spoke at meetings of various United Nations bodies. The reverse was not true, however, since participation by other United Nations bodies in proceedings of financial institutions was confined to the Annual Meetings and to the non-confidential meetings of the Interim Committee and Development Committee. Ever since their establishment at Bretton Woods in 1944, the Fund and the Bank had insisted on their independence; their status as United Nations specialized agencies was purely notional. That argument was further developed in document E/CN.4/Sub.2/1991/NGO/7, which drew on important work done by Sidney Dell on relations between the United Nations and the Bretton Woods institutions. His organization regretted that the Special Rapporteur had not taken Mr. Dell's work into account in his report.

34. In paragraph 168 the Special Rapporteur spoke of the need to reform the international financial institutions. The American Association of Jurists considered that reform leading to greater democratization was indispensable, for decision-making power was currently vested in the major industrialized countries, foremost among them the United States of America, which had the power to veto important decisions.

35. His organization reiterated the proposals it had made to the Sub-Commission at its previous session in document E/CN.4/Sub.2/1991/NGO/7. First, the Sub-Commission should prepare the draft of a text calling on the General Assembly to declare certain economic and financial practices and policies that violated economic, social and cultural rights to be crimes under international law. Secondly, it should recommend the Economic and Social Council to request an opinion from the International Court of Justice on the questions of whether the agreements between the United Nations, IMF and World Bank and relations between them were in accordance with the Charter of the United Nations; and whether the practices and policies of IMF and the World Bank were in accordance with the purposes for which they had been set up, as set forth in their Statutes, and with the Charter and other international instruments. Thirdly, the Sub-Commission should look into ways of increasing intervention by the Economic and Social Council and the General Assembly on world economic matters and the monitoring of developments in that area. Fourthly, it should study and propose amendments to the decision-making mechanisms of the Fund and the Bank, bringing both institutions into line with the current world situation by giving greater weight to the South.

36. It was now 30 years since the United States Government had imposed a total embargo on all trade with Cuba, including trade in food and medicines. Not only did the Government prohibit enterprises established on its own territory from trading with Cuba, but it also attempted to extend the prohibition to subsidiaries established on the territories of other countries, thereby violating the sovereignty of third countries. Recently, the Government had declared that vessels that had called on Cuban ports would not be permitted to enter United States ports during the following six months. In a reply to a Member of the European Parliament on 18 May 1992, the representative of the Council of the European Communities had stated that the development of Community cooperation with Cuba was linked to the process of political and economic reform in that country, and that, pending substantial changes in President Castro's domestic and external policy, the European Community reserved its position on the question of its contributions to the economic and social development of Cuba. The embargo by the United States and the virtual embargo by the European Community constituted flagrant violations of article 1 of both International Covenants, of various international instruments setting forth the right to development, and of others referred to in General Assembly resolution 44/215 of 22 December 1989, deploring the use of economic measures in order to exert political and economic pressure on developing countries. His organization urged the Sub-Commission to adopt a resolution expressing its concern at such violations of international law and proposing that the Commission on Human Rights should include in its consideration of the human rights situation in Cuba the effects on the human rights of the Cuban people of the economic coercion deployed by the United States and the European Community.

37. Mr. KIRKYACHARIAN (Movement Against Racism and For Friendship Among Peoples), speaking on agenda item 8, said that the current upsurge of racism in the developed countries was fed by the fear of an invasion of the North by waves of impoverished and violent migrants from the South. Those who feared such an invasion would do well to heed the warnings contained in the United Nations Development Programme's Human Development Report 1992, which drew attention to the unprecedented migratory flows that would result from failure to create economic outlets where they were most sorely lacking.

38. Clarification of the question of unequal human development was central to the elimination of racism. If that question was once resolved, fear of barbarian invasions would give way to lucid debate and positive decisions, in the wake of which the myth of North-South opposition could be dispelled.

39. His organization certainly did not concur with all the analyses and conclusions put forward in the UNDP report. Nevertheless, the report was right to denounce the current situation, the punitive interest rates imposed on developing countries, the net transfer of resources from South to North, the rampant protectionism on the part of the industrialized countries, the unequal income distribution, the widening gap between rich and poor countries, and the emergence of pockets of extreme poverty even in the developed countries. That situation was the result of close collusion between political leaders on both sides, in pursuit of their vested interests. In that connection, the report called for a reduction in arms sales, but did not state whether the major arms producing countries must also sever their political alliances with consumer countries.

40. The 500th anniversary of the launching by the West of its colonialist venture provided an appropriate opportunity to ponder those issues. The individual and collective wealth of the rich had been amassed through an enormous transfer of material and human resources. It would be idle to suppose that genuine progress could be accomplished by the developing countries without a corresponding transfer of technology, skills, human resources and capital. A beginning had been made; but that was still a far cry from the United Nations recommendation that the developed countries should devote 0.7 per cent of GNP to the developing countries. While Norway devoted 1.17 per cent of GNP, the United States contribution, quantitatively the largest, represented only 0.19 per cent of its GNP. In any case, those figures were not commensurate with the scale of the problem, which was ultimately a philosophical one. It was inconceivable that the well-being of the few should inevitably entail the destitution of the remainder - a situation which could only have a disastrous outcome. Seen from that standpoint, the fight against racism was central to the fundamental right to development.

41. Ms. MATVEEVA (International Educational Development), speaking on agenda item 7 (a), said that her organization was convinced that the mobilization of women was an essential element in development and in the creation of a truly progressive new economic order. It was thus deeply concerned that, despite women's enormous contribution to development, they were often the most vulnerable and disadvantaged group in society, with inadequate access to basic education, health care, child care and other social services. Those shortcomings undermined efforts to integrate women more fully into the development process.

42. She wished to elaborate on the key issue of women's health. In the family and the community, women were both consumers and dispensers of basic health care. But in spite of scientific and social progress, even the right to health and life could not be taken for granted. In parts of Asia, discrimination against women was reflected in female infant and child mortality rates far exceeding those for males. In Bangladesh, the mortality rate for girls was 70 per cent higher than for boys, the reason being that girls were far less likely to receive health care.

43. Malnutrition was the major cause of death among women in the developing world. During the 1980s nutritional standards had deteriorated in 25 countries, affecting women more than men. Their children were also affected; and studies showed that the effects of severe malnutrition could often persist for two generations, even when the grandchildren were well fed and in receipt of adequate health care.

44. Conditions previously viewed as serious only in Africa, Latin America and Asia were becoming increasingly apparent in Eastern Europe, and even in Western Europe and the United States. The conditions of minority communities and indigenous peoples in the United States now resembled those in a developing country.

45. The myth that centrally planned economies automatically led to the realization of economic, social and cultural rights had been exploded. However, the market economies that were replacing them were scarcely more likely to lead to the automatic realization of those rights: very little trickled down. All

too frequently, women were the first victims of market woes. In the Russian Federation, women currently represented more than 65 per cent of the unemployed.

46. In some circumstances women were, voluntarily or otherwise, entering fields of work traditionally reserved for men. One result was an increase in workplace-related health problems. Women and their babies in developing countries were also experiencing severe health problems resulting from the increased use and misuse of pesticides and other agricultural chemicals.

47. The situation of women called for more active scrutiny by all United Nations human rights bodies - in part to offset the view that women's issues were "social programme" issues rather than "rights" issues. As a minimum, the international community and Governments should take steps to ensure, first, equal access to health care, family planning and nutrition; secondly, adequate national health care budgets to maintain and expand existing health facilities for women; thirdly, substantial reductions in maternal and infant mortality rates in developing and other countries and among minorities in developed countries; and fourthly, elimination of long-term deficits in women's health issues resulting from apartheid and other extreme forms of discrimination. The international financial institutions should play a more innovative role in all those efforts. In the past, the World Bank and the International Monetary Fund had urged Governments into financial restraints that had severely cut government action on women's health issues, often invoking dubious arguments regarding the differing needs of women in the developed and developing countries. She was pleased that, in their statements at the current session, those organizations had shown a more sober approach.

48. In conclusion, she wished to support the call by the representative of the Women's International League for Peace and Freedom for the Sub-Commission to appoint a special rapporteur on women and to undertake a special in-depth study on the human rights of women. It was to be hoped that the cold war would not give way to a global war between "have" and "have-not" countries and people. But that was the way the world was heading unless there was a rapid rethinking of the world economy and, in particular, of the role of women therein.

49. Ms. LAYLA-BERENT (International Peace Bureau), speaking on agenda item 7, condemned the struggles for power between the rival forces in Afghanistan. Her organization supported the position of the United National Front, which favoured a broad-based national assembly as the best solution to the strife in the streets of Kabul. That assembly would bring together representatives of the people, men and women, different ethnic groups, political parties, individuals and religious minorities and would accord a prominent place to the freedom fighters. It would study the constitution and would prepare a draft law permitting the election of representatives drawn from the people. Such a truly democratic Government, freely elected by the people, would guarantee and promote human rights.

50. In Rwanda, the Front Patriotique Rwandais had recently concluded negotiations to form a Government of national unity in association with the present Government. The first task of the new Government would be to establish democracy, freedom and national unity, on the basis of respect for human rights.

51. Other countries, such as the Islamic Republic of Iran, Turkey and Iraq, did not respect the right of the Kurdish people to self-determination. Freedom of expression and language were not guaranteed, and the elected representatives of the Kurdish people were not recognized. Kurds were bombarded in the autonomous regions, in violation of those countries' own constitutions. How, then, could they promote and develop human rights? Undoubtedly, the best guarantees of political, economic and social development were democratically elected Governments.

52. Mrs. Ksentini took the Chair.

53. Mr. KHALIL, speaking on agenda item 8, said that political and economic rights were closely interrelated and should not be treated on a selective or preferential basis, even though recent changes in various parts of the world had focused attention on economic rights.

54. With regard to structural adjustment, which was an issue of particular importance to the developing countries, Mr. Türk's report (E/CN.4/Sub.2/1992/16) noted the changes that had taken place in recent years to alleviate the adverse effects of such adjustments on economic, social and cultural rights. Egypt supported the report's recommendation concerning the need for greater coordination of endeavours between international financial institutions and human rights organizations in order to promote closer complementarity between the approach adopted by the World Bank and the International Monetary Fund and the United Nations viewpoint on economic, social and cultural rights.

55. The prevailing impression in the countries of the third world was that international financial institutions invariably applied the same method to remedy economic problems, regardless of the circumstances or stage of development of the country concerned. However, the Egyptian authorities felt that their dealings with the International Monetary Fund and the World Bank in recent years had been generally positive. The Egyptian economy had improved, the budget deficit had been reduced, the level of public spending had declined, significant steps had been taken in the field of monetary reform and the trade deficit had also been reduced. Nevertheless, in spite of their long-term benefits, those achievements had undoubtedly adversely affected ordinary citizens due to the steep rise in prices and the decline in the standard of living of the low-income groups who constituted the vast majority of the population. He therefore endorsed the Special Rapporteur's proposal that the principal issues referred to in paragraph 64 of his report should be discussed with a view to formulating a set of basic guidelines for structural adjustment policies.

56. He also supported the Special Rapporteur's view that economic growth resulting from a free-market system did not automatically alleviate poverty among large sections of the population. As indicated in the UNDP Human Development Report 1991, economic growth must be closely linked to human well-being among all sections of the population.

57. With regard to military spending, although some positive policies were being pursued, the various aspects of that issue required further examination and discussion.

58. The problem of housing was causing concern in both the developing and the developed countries. In Egypt, far from solving that problem, the free-market mechanisms had merely led to the construction of a large number of expensive and, consequently, empty luxury apartments while the low-income sections of society, which were increasing on account of population growth and migration from rural to urban areas, were unable to enjoy the right to housing. He therefore welcomed the approach proposed in Mr. Sachar's working paper (E/CN.4/Sub.2/1992/15) and hoped that the Special Rapporteur would continue his study of that issue.

59. Ms. PARKER (International Educational Development), speaking on agenda item 8, said that her organization was particularly concerned about the consequences of population transfers on human rights, and in particular on economic, social and cultural rights. Such transfers also constituted grave breaches of the Geneva Conventions and of customary humanitarian law, and she wished to draw attention to several instances of population transfers carried out during armed conflicts.

60. In Myanmar the regime had begun to remove Karen and Karenni people from their traditional territories in the Mawchi Mines area. In the north, Catholic priests and nuns had been removed from two parishes and local inhabitants ordered to destroy buildings and move to Prusso. Instead many had fled into the mountains where they had joined Karen hill tribes. In the wake of those forced removals, houses had subsequently been burned and land taken by Burmese migrants. The Karen and Karenni people were now largely dispersed, in hiding or in camps.

61. In Sri Lanka the Government had used population transfer force to dilute Tamil majorities in traditional Tamil lands and then as part of an overall military strategy. In Jaffna, Batticoloa and Trincomalee, the Sinhalese population had grown from 3 to 10 times. In addition, the names of a number of villages had been changed from Tamil to Sinhalese. The Tamil population was diluted not only by those arrivals of Sinhalese, but by the flight of Tamils as refugees or their confinement in detention camps.

62. Such manipulation of populations by Governments also raised the principle of self-determination in view of the failure of the regimes concerned to represent all peoples in their territories without distinction as to race, creed or colour, as required by General Assembly resolution 2625 (XXV) and all the fundamental human rights instruments.

63. Her organization welcomed Mr. Türk's thoughtful and comprehensive final report (E/CN.4/Sub.2/1992/16), which together with his earlier reports formed the basis for what it hoped would be concerted attention to the rights concerned in the future work of the Sub-Commission. Although it agreed with the Special Rapporteur that human rights were indivisible, the failure to incorporate economic, social and cultural rights fully into country reviews fostered the notion that those rights were less important. As far as it could recall, no country had been singled out for condemnation solely for violations of economic, social and cultural rights.

64. There were circumstances in which the denial of economic, social and cultural rights reached a level that constituted a crime against humanity. Her organization considered that current victims of the failure of minimal

governance in Somalia could and perhaps should have a right to present claims to the international community as a whole for its failure to take timely action to guarantee at least subsistence survival as required by Article 1 of the Charter of the United Nations. Koreans who had suffered as a result of forced labour for the Japanese Government during the Second World War should also be entitled to claim redress against that Government.

65. Lastly, she noted that Mr. Sachar's working paper on the right to adequate housing (E/CN.4/Sub.2/1992/15) rightly anticipated the need to determine at what point the violation of the right to housing occurred, and her organization strongly urged the Sub-Commission to approve a full study of that essential right.

66. Mr. SOTTAS (World Organization against Torture), speaking on agenda item 8, said that in 1989 his organization had submitted to the United Nations Conference on the Least Developed Countries a report on the economic regression affecting most of the least developed countries, which provided proof that the Substantial New Programme of Action for the 1980s for the Least Developed Countries, adopted at the 1981 Paris Conference had failed to achieve its essential objectives. The same report had drawn attention to the steadily growing violations of human rights in the economically weakest countries and to the close link between respect for human rights and economic growth. Far-reaching structural reform was essential to avoid wasting resources, to develop the wealth of the countries concerned and to meet the essential needs of their populations. Consequently, any structural adjustment policy could and should not merely address economic requirements, but also take into account their consequences and particularly the risks that certain seemingly more efficient programmes from a strictly economic standpoint incurred in the medium- and long-term.

67. Some of the measures adopted by Governments, for reasons of budgetary discipline, had brought under scrutiny expenditures considered to be excessive and insufficiently cost-effective in the spheres of training, education, health and welfare and instead had focused on high profit investments. The doubly harmful consequences of those options which had intensified the poverty and marginalization of growing sections of the population, was exemplified by the case of Brazil, which in the 1960s and 1970s had been regarded as one of the world's most successful developing economies. Nowadays, Brazil was incapable of meeting the basic needs of its population, and famine, particularly in the north-east, had led to large-scale migrations towards urban centres, swelling the ranks of the marginal population. One of the consequences of that phenomenon had been the unprecedented increase in the number of street children, who lived by begging and petty crime. The upsurge in crime had led clandestine organizations, having links with the forces of law and order to eliminate, often after torture, children who were perceived as a danger to the social order. As shown by studies by the Brazilian institute of social and economic analyses, there had been 457 murders of street children by death squads in Recife, Rio de Janeiro and Sao Paulo in less than six months. Brazil was unfortunately not an isolated case, and there had recently been reports of a similar phenomenon in Haiti.

68. The Sub-Commission and all United Nations human rights bodies should study those developments, not only the legal problems and the appropriate measures to strengthen individual protection, but also the social and economic issues, in

order to define measures for implementation in the context of the structural adjustment programmes advocated by IMF, World Bank credits or UNDP development programmes. If tangible and coherent measures were not taken rapidly, the poorest countries might well plunge into a chaos comparable to that in Somalia.

69. UNDP and the World Bank had begun to concern themselves with those issues as their most recent reports had shown. However, in practice, probably due to lack of information, their programmes or projects did not sufficiently take into account social criteria for the promotion and protection of human rights. His organization had made representations on two occasions in recent months to the World Bank in connection with loans to Malawi and India. In Malawi, the authorities pursued an ultra-repressive policy against democratic organizations and disregarded the welfare and development of the poorest sectors. In India, the Narmada dam project had led to the eviction of the local tribal populations, with the death of one person and the serious wounding of another.

70. His organization did not wish to call into question the need to modernize the economies of developing countries. However, in many cases the objectives of immediate profitability were given priority over the harmonious development of the population, while in other cases programmes designed for the privileged and modern sectors of developing societies sought growth that benefited only a minority of the population.

71. Recently in international economic forums, some industrialized countries had shown concern about that problem and had declared that their assistance and special relations with their trading partners would take into consideration the way those countries were governed. However, to be effective, the concept of good governance should apply to all decision makers, whether in the South or in the North; in practice it was the decision makers in the North, sheltered by their economic power, who would be both judge and party.

72. The concept was a relatively liberal one. A good Government was one that had been democratically elected and which respected the democratic system of separation of powers and the fundamental principles of the State governed by the rule of law. Those components were sufficient to lay the foundations of a free society, but insufficient to guarantee that participation in policy-making or the fruits of development were enjoyed by the most marginalized sectors of the population, which often constituted the majority. Democratically elected Governments were unable or unwilling to make the necessary reforms. With a worsening economic situation and growing violence, the authorities took refuge in an increasingly incoherent exercise of power and adopted laws and measures which had scant influence on the lives of the majority of citizens. That trend was particularly disturbing for human rights.

73. Habeas corpus was made meaningless by the recourse to enforced disappearance. The abolition of the death penalty was a fallacy when the security forces carried out extrajudicial executions with complete impunity. The Governments concerned were nevertheless often considered to be democratic and concerned about human rights because of their efforts to endow their countries with exemplary legislation, regardless of the fact that it had no impact in a context of profound inequality.

74. In conclusion, he urged the Sub-Commission to take the initiative of creating a body of ad hoc advisers specializing in the protection and promotion of human rights who would take their place within intergovernmental economic institutions and carry out impact analyses of the implications for human rights of projects and programmes financed by those institutions. The advisers should be empowered to oppose any programme that was manifestly detrimental to the promotion of human rights and should report regularly to the Sub-Commission and to the Commission.

75. Mr. OZDEN (Centre Europe-Tiers Monde), speaking on agenda item 8, stressed the indissociability of the concepts of human rights and development. She drew attention to the situation in Haiti, where the process of the realization of economic and social rights had been revoked. The putsch of 30 September 1991 had plunged the inhabitants of the poorest country on the American continent into extreme difficulties. Commodity prices had more than doubled and the conditions of life were disastrous. Several hundred thousand Haitians had fled the shanty towns but the persecution was spreading in the countryside. Since the putsch the right to housing, education and work had been violated.

76. The international embargo, which could have provided a means of restoring the rule of law, had not been respected. The international community bore a heavy responsibility for the deterioration in the living conditions of the Haitian people. Accordingly, her organization urged the Sub-Commission to do its utmost to ensure the implementation of Commission on Human Rights resolution 1992/77.

77. For several years her organization had given close attention to the policies of the International Monetary Fund and the World Bank and had concluded that they continued to run counter to the economic and social interests of the peoples of the third world.

78. For example, in Madagascar, after 10 years of structural adjustment programmes the majority of the population had been excluded from the economic mainstream and caught up in a spiral of even deepening poverty. Food production had fallen by 10 per cent, State expenditure on health had dropped to 6.8 per cent and on education by 37 per cent. The deterioration of the infrastructure had led to an overall deterioration of trade and to rural decline and exodus. Industry too was threatened by unauthorized imports and the only source of employment was the informal sector. The weight of the external debt was undermining the economy and development. She cited a letter received that same morning from the Union of Independent Trade Unions of Madagascar which vividly described the catastrophic situation in southern Madagascar, where famine threatened as a result of the recurrent drought.

79. With the emergence of the debt problem in the third world, the main concern of the IMF had been to assure a surplus large enough to service debt and repay the principal, its basic concern being to adjust the South to the order decided upon by the North. Although its experts were well aware of the conditions in which debt had been contracted and where responsibility lay, the IMF continued to pursue that same central objective which undermined the promotion of the economic and social rights of the peoples and communities of the South.

80. Ms. GONZALEZ (Latin American Federation of Associations of Relatives of Disappeared Detainees), speaking on agenda item 8, said that the deprivation of economic, social and cultural rights experienced by large sectors of Latin America's population had generated social conflicts and struggles which led to the violations of other kinds of rights, particularly civil and political rights. Absolute poverty, lack of housing, of work, malnutrition and other ailments affecting the majority of the population, illiteracy and other denials of human rights were facts of life.

81. If, in addition, one took into account the economic policies imposed by international agencies such as IMF and the World Bank and the external debt one was compelled to conclude that there was little hope for the majority of Latin America's population. For example, in Guatemala, the Government, which had ratified the International Covenant on Economic, Social and Cultural Rights, made not the slightest effort to check the economic and social deterioration that affected the indigenous population in particular and left 90 per cent of the total population in extreme poverty. In 1984, the Guatemalan Episcopal Conference had calculated that there were 1 million internal displaced persons without land, work or housing whose status made them ideal victims for exploitation by employers.

82. In Mexico, 185,000 children died of malnutrition each year and many of those who survived suffered mental and physical consequences. There was a shortfall of 7 million dwellings, overcrowding, and a serious lack of basic amenities, of drinking water, and even of electricity. The 3.5 per cent of GDP devoted to education was well below the level of 8 per cent recommended by UNESCO. Illiteracy, unemployment and underemployment were rife throughout the country and as a result there was an upsurge in prostitution, drug addiction and crime.

83. In Colombia, corruption and administrative negligence had led to a crisis in the electric power sector and the rationing of electricity supply throughout the country, with attendant economic, social, cultural, health and other consequences. Ironically, Colombia ranked fifth in the world in terms of hydroelectric resources.

84. The cholera epidemic which had ravaged Peru before spreading throughout Latin America was a further denial of human rights and its real cause was to be found in the lack of a health infrastructure and of technical assistance for the most vulnerable sectors of the population. Accordingly, her organization requested that urgent attention be devoted to those problems which had time and time again been recognized by the Commission and the Sub-Commission as breaches of the economic, social and cultural rights set out both in the Charter of the United Nations and the International Covenant on Economic, Social and Cultural Rights.

85. Ms. LAYLA-BERENT (International Peace Bureau), speaking on agenda item 8, drew attention to the situation of economic, social and cultural rights in Kurdistan which was divided among four countries, each of which practised its own forms of repression and colonization.

86. In Turkish Kurdistan, the 1982 Turkish Constitution had prohibited the use of any other language than Turkish and despite the liberalization of the use of Kurdish in 1991, hundreds of people had been imprisoned or tortured for having used Kurdish or for having worn traditional Kurdish dress.

87. Since 1987 hundreds of villagers had been deported for having helped Kurdish freedom fighters, their livestock had been slaughtered and their crops destroyed.

88. In the 1980s Turkey had made great play of the benefits for the region's population of the Great Anatolia Project, but in actual fact few of them had been able to work on the Project and the rate of unemployment in the region was 80 per cent. The Project had also caused hundreds of Kurdish villages to be evacuated without compensation.

89. The situation of Kurdistan in Iraq, Iran and Syria was no different as had been demonstrated in the aftermath of the Gulf war. Accordingly, her organization suggested that the Sub-Commission should appoint a special rapporteur to examine the situation of the Kurdish people at first hand.

90. Mr. KHOURI (Union of Arab Jurists) said that when a State violated the provisions of the International Covenants on Human Rights within its frontiers it met with condemnation, as was only right. However, when a great Power or a group of powerful States violated the most elementary rights of another people, its conduct was deemed lawful or acceptable and violations of the right to life and of economic, social and cultural rights became excusable or were even depicted as acts of heroism.

91. Such was the case of those great Powers which maintained an unprecedented blockade against the Iraqi people, thereby depriving it of the elementary rights laid down in the international human rights instruments. He read out a statement signed by 15 non-governmental organizations, noting that the embargo against Iraq was still in force despite the end to the circumstances which had justified it: Security Council resolution 660 (1990) had required the withdrawal of the Iraqi forces from Kuwait, which they had left in February 1991.

92. Numerous reports and humanitarian missions had emphasized that the embargo had caused a 400 per cent leap in infant mortality as well as a serious deterioration in child health, education, and damage to the infrastructure as a whole. Some products, such as certain medicines, detergents, insecticides or even spectacles were affected by the embargo as a result of an excessive interpretation of Security Council resolutions. By depriving Iraq of its means of production the embargo was exposing the population to inhuman living conditions and the destruction of Iraq's infrastructure was a violation of the Charter of the United Nations and had gone far beyond the resolutions of the Security Council. It had, moreover, been recognized by a majority of the members of the Security Council that Iraq had complied with most of the clauses of the Council's resolutions, despite which the embargo was still fully in force.

93. Accordingly, the signatories of the statement requested the Sub-Commission to take into account the serious violations of human rights that resulted from the embargo against Iraq and requested that the statement be issued as a written communication under agenda items 7 and 8.

94. Mr. Alfonso Martínez resumed the Chair.

95. Ms. PARKER (Sierra Club Legal Defense Fund), speaking on agenda item 8, said that her organization welcomed the efforts of the Sub-Commission to address economic, social and cultural rights and commended the comprehensive and invaluable analysis of that complex area of rights provided by Mr. Türk in his final report (E/CN.4/Sub.2/1992/16).

96. The report rightly addressed the indivisibility of human rights, whose division had been used to justify uncontrolled economic schemes planned to enrich the few rather than to generate true economic, social and cultural rights with full protection of peoples and their environment. Development had frequently been cast in opposition to environmental protection, although it was bad development rather than development itself that was at issue. The Special Rapporteur had pointed out in his report the huge cost of deforestation, and even the World Bank had now recognized the increasing risks of impoverishment caused by environmental degradation. Properly planned development projects could enhance rather than destroy economic, social and cultural rights and the integrity of the environment.

97. She cited the Sardar Sarovar dam project in India as an example of a development scheme which did not have to be a disaster. The World Bank and the Government of India could have adhered to requirements for environmental safeguards and minimum humanitarian standards for resettlement of people. She urged the Sub-Commission to take strong action to encourage the World Bank to consider effective remedies before it was too late. The concerns of non-governmental organizations and people affected by World Bank policies, especially in areas of poverty reduction and environmental protection, were beginning to be reflected in those policies, and that new approach should be encouraged by the Sub-Commission as a way of reaching economic, social and cultural rights.

98. Her organization also welcomed the new initiatives on housing taken by the Sub-Commission and the excellent working paper produced by Mr. Sachar (E/CN.4/Sub.2/1992/15), as well as Mrs. Ksentini's ongoing work on human rights and the environment (E/CN.4/Sub.2/1992/7) and looked forward to a fruitful exchange of views between them. She encouraged the Sub-Commission to entrust Mr. Sachar with a full study on the right to housing.

99. Lastly, her organization agreed with Mrs. Palley that population transfer was a topic of crucial importance, because in the long-term it caused threats to peace by exacerbating ethnic sensibilities and perceptions of grave injustice, both internationally and nationally, often by being in breach of human rights, humanitarian treaties and major principles of customary law. It also agreed that population transfer was difficult to remedy after the fact, both in regard to people and environmental damage.

100. In conclusion, she noted the interrelationship between environmental devastation and poverty and urged that further attention be devoted to the topic.

101. Ms. SMITH (Four Directions Council) said that it had long been acknowledged that the indigenous peoples of the United States were at the bottom of the economic ladder, regardless of whether they lived in towns or on reservations; the most recent statistics had shown the level of unemployment among reservation peoples to be 10 times the national average. The reservation system, the pursuit of market-driven economic policies and the activities of the Bureau of Indian Affairs had all contributed to that appalling rate of unemployment. Frequently, the only employment available to reservation communities had been in mining, thereby compelling them to participate in the rape and destruction of their own lands, with moreover, disastrous consequences for their health. The Government had done very little indeed to support economic development on the reservations that could lead to true and workable economic self-sufficiency.

102. Many reservations had recently taken steps to develop of self-sufficiency and provide essential services for their people by developing various independent sources of income such as gambling and the sale of tax-free tobacco and gasoline. However, the authorities had in several cases blocked those efforts. Whenever indigenous peoples in the United States had attempted to achieve economic self-sufficiency, the Government stepped in to stop them, thereby maintaining indigenous peoples in a situation of dependency.

103. Between seven and ten thousand Navajo had recently been forcibly relocated in northern Arizona: the actions of the Government had turned a self-sufficient community into despairing refugees. Public law 93-531, adopted in 1974 by the United States Congress had led to the forced relocation of several Navajo communities and deprived their members of their means of livelihood as well as preventing them from repairing their homes or constructing new ones, thus compelling them to live in degrading conditions.

104. Lastly, the most important issue for indigenous peoples was cultural rights. Although freedom of religion was guaranteed by the United States Constitution, that was not the case for indigenous peoples, despite the 1978 American Indian Freedom of Religion Act, and tribal religious meetings were frequently interrupted, sacred land violated and religious objects confiscated. The indigenous peoples of the United States were not seeking any form of Government handout: they simply wished to live in dignity in keeping with their own economic, cultural and religious customs and without interference from any outside entity, including the United States Government.

105. Mr. CUESTAS (Observer for Guatemala) replied to points raised by the representatives of the International Federation of Human Rights and the International Association against Torture. As a developing country, Guatemala faced huge problems with regard to the economic status of part of its population. However, those structural problems were being directly addressed by the Government. It was clear that the problems mentioned by the two non-governmental organizations had deep historical roots and recognition by the Government of the problems facing the country had allowed it to draw up a strategy to provide a lasting solution, based on a restructuring of the national budget to devote the bulk of resources to health, education and justice. For example, in 1991, education had been allocated 15 per cent of the budget and the

armed forces only 7 per cent, contrary to what certain non-governmental organizations had asserted. In his most recent report on Guatemala, (E/CN.4/1992/5) Mr. Tomuschat, the Independent Expert, had drawn attention to the restructuring of national expenditure. The Government had also reorganized the tax system in order to ensure it received sufficient revenue to tackle the task before it, and it had also rationalized public expenditure. During its period of office, it had brought down inflation, unemployment and the external debt and had implemented social measures to meet the needs of the underprivileged. It was unacceptable that Guatemala's problems should be exploited for political advantage, with complete disregard for the actual victims. The same organizations that attempted to draw political advantage from the country's problems made no mention of the economic damage caused by terrorism - with direct repercussions on the living standards of the population.

106. Mr. PAK Hun (Observer for the Democratic People's Republic of Korea) said that he felt compelled to reply to the observer for the United States of America who had mentioned the Democratic People's Republic of Korea when discussing the relationship between human rights and economic development. His assertion that economic development followed the introduction of democratic rights was hardly a revelation, and was even more valid when a country's masses were the masters of its society and means of production. The Government of the Democratic People's Republic of Korea had been building the country's economy on the basis of the creativity of the country's masses. For the enlightenment of the observer for the United States of America, he cited reports by the Asian Development Bank and the World Bank, which had rated average economic growth in the Democratic People's Republic of Korea at 9.7 per cent between 1978 and 1992 and had recognized that the daily calorie requirements of the country's population were more than met. Those sources could hardly be suspected of being biased in favour of the Democratic People's Republic of Korea. The representative of the United States of America would be better advised to direct his attention to the United States itself, which faced economic stagnation and racism.

ORGANIZATION OF WORK (continued)

107. Mr. CHERNICHENKO recalled that he had submitted to the Sub-Commission a working paper (E/CN.4/Sub.2/1992/51) for discussion under agenda item 6, although its contents were equally relevant to agenda items 3 or 4. Unfortunately, it had not proved possible to discuss the paper under agenda item 6, and he requested the Secretariat, through the Chairman, to ensure the document was available and mentioned in the order of the day. He would welcome feedback from his colleagues on the document and hoped that it would be possible briefly to discuss it, preferably under agenda item 4.

108. The CHAIRMAN pointed out that the document in question had indeed been included in the order of the day each time agenda item 6 had been discussed. Speakers were under no obligation to mention all the documents that appeared under a particular agenda item. If, as Mr. Chernichenko said, that document was also relevant to agenda items 3 and 4, then there was no reason why it should not be discussed under those items, which were due to be addressed once the discussion of items 7 and 8 was completed.

109. Mrs. KSENTINI said that consultations since the morning meeting had confirmed the desirability of entrusting the Rapporteur with responsibility for preparing a list of all the studies proposed by resolutions. She asked Mr. Bossuyt, to consult with members in order to prepare the list for the current session. She thanked the Secretariat for having prepared the list of studies completed that year, but requested clarification of the status of the report on detailed juveniles (E/CN.4/Sub.2/1992/20) prepared by Mrs. Bautista.

110. Mr. DESPOUY asked that the list should also include the study on human rights and disability (E/CN.4/Sub.2/1991/31) which he had completed the previous year, subsequent to which no further study had been requested.

The meeting rose at 9.10 p.m.